

# Case Details

Butte County

Case Number  
**CE18-1248**

Description: LARGE MARIJUANA GROW		Status: LIEN PROCESS
Location: 39° 33.299'N 121° 22.321'W		
Type: MARIJUANA	Subtype:	
Opened: 9/6/2018	Closed:	Last Action: 4/19/2019
Site Address: 69 GUNDERSON RD FEATHER FALLS, CA 95966		Fillw Up:
Site APN: 071-290-078		Officer: DEBBIE LAUGENOUR
Details:		

### Case Summary

DAYS	231
[14] INSPECTIONS	14
[61] ACTIONS	60

CASE OPEN

OPEN

COMPLETED

## ADDITIONAL SITES

## LINKED CASES

CONTACTS			
NAME TYPE	NAME	ADDRESS	PHONE
OWNER	LARMOND BERYL	1900 ORO DAM BLVD E SUITE 203 OROVILLE, CA 95965	
OWNER 2	SHARON & GEORGE FRANCIS		5303531153

## VIOLATIONS

### FINANCIAL INFORMATION

DESCRIPTION	ACCOUNT	QTY	AMOUNT	PAID	PAID DATE	RECEIPT #	CHECK #	METHOD	PAID BY	CLTD BY
D4 MM ADMIN PENALTIES LCL FINES	0010-4404000-431104-4401	0	\$28,500.00	\$0.00						
Total Paid for D4 MM ADMIN PENALTIES LCL FINES:			\$28,500.00	\$0.00						
D4 MM COSTS CHRG FOR SVCS	0010-4404000-462005-4401	0	\$5,532.61	\$0.00						
Total Paid for D4 MM COSTS CHRG FOR SVCS:			\$5,532.61	\$0.00						



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TOTALS: \$34,032.61 \$0.00

CHRONOLOGY				NOTES
CHRONOLOGY TYPE	STAFF NAME	ACTION DATE	COMPLETION DATE	
72-HOUR NTC SENT	MATT FUCHS	10/4/2018	10/4/2018	72 hour notice mailed.
CASE REVIEW and ANALYSIS	MATT FUCHS	9/7/2018	9/7/2018	Zoning- FR-10 Acreage- 8.45 Dwellings- yes District- 1 Well- yes Allowed- 100 sq ft with 2 recommendations, fenced if in public view with 6 plants Setback- 75 and 100 feet
CASE REVIEW and ANALYSIS	SHAWN WILLIAMS	9/20/2018	9/20/2018	FLIGHT PREP & MAPPING
DEMAND LETTER POSTED	BRAD LAWTON	12/11/2018	12/11/2018	Demand letter posted and photographed
DEMAND LETTER POSTED	PHIL PREADER	12/11/2018	12/11/2018	2nd officer for safety



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EMAIL	DEBBIE LAUGENOUR	10/17/2018	10/17/2018	<p>EMAIL CONFIRMATION HEARING OFFICER</p> <p>From: Laugenour, Debbie Sent: Wednesday, October 17, 2018 3:51 PM To: 'Leonard &amp; Lyde' &lt;leonardandlyde@gmail.com&gt; Subject: Mr. Gallert Confirmation Hearing Officer- 11/21</p> <p>Good Afternoon:</p> <p>This email will confirm that Mr. Gallert is available to be a hearing officer for our Marijuana Hearing on 11/21/18. Please see the case details below and let me know if you have any questions or concerns.</p> <p>Date: 11/21/18 Time: 11:00 a.m.</p> <p>Location: Butte County Superior Court Conference Room</p> <p>CASE: CE18-1248 APN: 071-290-078 Address: 69 Gunderson Road, Feather Falls Owners: Beryl Larmond</p> <p>CEO: Matt Fuchs</p> <p>Hearing Officer: Michael Gallert</p> <p>Thanks</p> <p>Debbie Laugenour, Office Specialists, Sr. Code Enforcement</p>
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EMAIL	DEBBIE LAUGENOUR	11/29/2018	11/29/2018	<p>EMAILED COPY OF DECISION TO CEO AND MANAGER</p> <p>From: Laugenour, Debbie Sent: Thursday, November 29, 2018 2:24 PM To: Jellison, Chris &lt;cjellison@buttecounty.net&gt;; Fuchs, Matt &lt;MFuchs@buttecounty.net&gt; Subject: CE18-1248 69 GUNDERSON DECISION</p> <p>Please see attached the decision for the above-noted case. We were awarded \$28,500 in pre-hearing penalties. The property was abated prior to hearing so there will no further penalties.</p> <p>Debbie Laugenour,</p>
EMAIL	DEBBIE LAUGENOUR	11/29/2018	11/29/2018	<p>REQUESTED COST FOR DEMAND</p> <p>From: Laugenour, Debbie Sent: Thursday, November 29, 2018 2:40 PM To: Tauchman, Beverly &lt;BTauchman@buttecounty.net&gt;; Waybright, Christine &lt;CWaybright@buttecounty.net&gt; Subject: LARMOND 69 GUNDERSON CE18-1248</p> <p>Good Afternoon:</p> <p>We have finished our case work on the above-noted case. Please forward the cost for demand at your earliest convenience.</p> <p>Thanks</p> <p>Debbie Laugenour,</p>
EMAIL	DEBBIE LAUGENOUR	12/10/2018	12/10/2018	<p>REQUESTED COST FOR DEMAND</p>





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**CE18-1248**

EMAIL	DEBBIE LAUGENOUR	2/27/2019	2/27/2019	<p>REC EMAIL FROM LAW OFFICE REGARDING INVOICE. SENT THEM A COPY.</p> <p>From: Laugenour, Debbie Sent: Wednesday, February 27, 2019 7:40 AM To: 'Leonard &amp; Lyde' &lt;leonardandlyde@gmail.com&gt; Subject: RE: Missing Invoice</p> <p>Good Morning, Sarah:</p> <p>Yes, we did receive an invoice. Please see a copy attached. Let me know if you need anything else from me. If it has not been paid you would need to check with Kim McMillian.</p> <p>Debbie Laugenour, Office Specialists, Sr. Code Enforcement Department of Development Services</p>
GENERAL NOTE	DEBBIE LAUGENOUR	10/17/2018	10/17/2018	<p>ADDED CASE TO HEARING CALENDAR. UPDATED OUTLOOK CALENDAR WITH HEARING OFFICER ASSIGNMENT. CREATED HARD COPY FILE.</p>



# Case Details

Butte County

Case Number  
**CE18-1248**

				MARIJUANA ABATEMENT DATE 11/06/18. UPDATED SPREADSHEET AND CASE FILES.  From: Fuchs, Matt Sent: Tuesday, November 13, 2018 9:05 AM To: Laugenour, Debbie <DLaugenour@buttecounty.net> Cc: Waybright, Christine <CWaybright@buttecounty.net>; Tauchman, Beverly <BTauchman@buttecounty.net> Subject: CE18-1248 071-290-078 Beryl Iarmond  Marijuana abated 11/6/2018.  Thanks  Matt Fuchs, Code Enforcement Officer Department of Development Services 7 County Center Drive, Oroville, CA 95965 Cell: 530.693.7631 (Direct)
GENERAL NOTE	DEBBIE LAUGENOUR	11/13/2018	11/13/2018	
GENERAL NOTE	DEBBIE LAUGENOUR	11/29/2018	11/29/2018	RECEIVED DECISION. ADDED PENALTIES TO SPREADSHEET AND DEMAND CALCULATIONS. SCANNED AND ATTACHED. EMAILED COPY TO CEO AND MANAGER. REQUESTED COST FOR DEMAND. PRINTED COPY FOR FILE.
GENERAL NOTE	DEBBIE LAUGENOUR	12/10/2018	12/10/2018	RECEIVED COST FOR DEMAND. ADDED TO SPREADSHEET AND DEMAND CALCULATIONS. SCANNED AND ATTACHED
GENERAL NOTE	DEBBIE LAUGENOUR	12/10/2018	12/10/2018	RECEIVED HEARING OFFICER INVOICE. ADDED AMOUNT TO SPREADSHEET AND DEMAND CALCULATIONS.
GENERAL NOTE	DEBBIE LAUGENOUR	12/10/2018	12/10/2018	CALCULATED STAFF COSTS. ADDED TO SPREADSHEET AND DEMAND CALCULATIONS. FINALIZED DEMAND. PREPARED SETTLEMENT AGREEMENTS GAVE ALL TO MANAGER FOR REVIEW.
GENERAL NOTE	DEBBIE LAUGENOUR	12/10/2018	12/10/2018	ADDED COST AND PENALTIES INTO TRAKIT FROM DEMAND
GENERAL NOTE	DEBBIE LAUGENOUR	12/10/2018	12/10/2018	DEMAND MAILED 10.12.18



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Case Number  
**CE18-1248**

GENERAL NOTE	DEBBIE LAUGENOUR	3/6/2019	3/6/2019	ASSESSOR RECORDS REVEALED THAT THE PROPERTY TRANSFERED OWNERSHIP ON 12/27/18. KEN WILL TALK TO TITLE COMPANY AND SEE HOW THEY WERE ABLE TO TRANSFER TITLE WITHOUT SATISFYING OUR LIEN/HEARING DECISION RECORDING (12/18/18)
GENERAL NOTE	DEBBIE LAUGENOUR	3/7/2019	3/7/2019	PROPERTY WAS FORECLOSED UPON AND TITLE CHANGED 12/18/18. RELAYED THAT INFO TO CHRIS AND KEN. WAS TOLD TO MOVE FORWARD WITH LIEN HEARINGS.
GENERAL NOTE	SHAWN WILLIAMS	9/27/2018	9/27/2018	I SORTED THE HELICOPTER INSPECTION PHOTOS INTO INDIVIDUAL FILES TO ASSIST THE CEO IN CHARGE OF THIS CASE.
GENERAL NOTE	SHAWN WILLIAMS	11/2/2018	11/2/2018	Following the flight on 11/02/2018, I assisted the CEO in charge of this case by organizing the aerial photos into individual files on the department server.
HEARING CONDUCTED	MATT FUCHS	11/21/2018	11/21/2018	Hearing conducted.
HEARING CONDUCTED	MATT FUCHS	11/21/2018	11/21/2018	
HEARING DATE	TIM TORRES	10/15/2018	10/15/2018	SET NA HRG DATE FOR 11/21 AT 11AM
HEARING NOTICE POSTED	TIM TORRES	10/15/2018	10/15/2018	W/TW- POSTED NA HRG NTC ON GATE
HEARING NOTICE POSTED	TED WEBER	10/15/2018	10/15/2018	W/TT 2ND OFFICER FOR OFFICER SAFETY
HEARING NOTICE SENT	MATT FUCHS	10/15/2018	10/15/2018	Hearing notice and proof of service mailed.
LIEN HEARING NOTICE POSTED	PHIL PREADER	3/18/2019	3/18/2019	at gate
LIEN PROCESS	DEBBIE LAUGENOUR	2/11/2019	2/11/2019	LIEN DOC PREP
LIEN RECORDED	WILLOW EMBERLAND	4/19/2019	4/19/2019	LIEN RECORDED ON 4/18/19
MEETING	DEBBIE LAUGENOUR	12/10/2018	12/10/2018	SETTLEMENT MEETING SET FOR 12/10/18 @ 3 P.M. ADDED TO OUTLOOK CALENDAR



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MEETING	DEBBIE LAUGENOUR	12/11/2018	12/11/2018	MEETING WITH SHARON RE SETTLEMENT. PARCEL OWNER IS HER MONTHER-IN-LAW. SHE BELIEVES THEY WILL TAKE SETTLEMENT WITH PAYMENTS. WILL ADVISE BEFORE THE END OF THE YEAR.
OPENED CASE	DEBBIE LAUGENOUR	9/6/2018	9/6/2018	GAVE HER COPY OF SETTLEMENT.
PHONE CALL	DEBBIE LAUGENOUR	9/6/2018	9/6/2018	SPOKE TO RP ABOUT THEIR COMPLAINTS
PHONE CALL	DEBBIE LAUGENOUR	10/17/2018	10/17/2018	CALLED ADMIN AND GOT HEARING OFFICER ASSIGNMENT.
PHONE CALL	DEBBIE LAUGENOUR	10/17/2018	10/17/2018	CALLED HEARING OFFICER TO SEE IF HE IS AVAILABLE.
PHONE CALL	DEBBIE LAUGENOUR	10/17/2018	10/17/2018	RETURN PHONE CALL FROM HEARING OFFICER ADVISING THAT HE IS AVAILABLE.
PHONE CALL	DEBBIE LAUGENOUR	4/15/2019		RECEIVED A PHONE CALL FROM A MAN WHO SAID HE WAS THE SON OF THE OWNER. THE NAME DID NOT MATCH WHAT WE HAVE AS THE OWNER. HE SAID HIS PARENTS/MOTHER WERE SELLING THE PROPERTY TO LARMOND WHO DEFAULTED. THEY TOOK THE PROPERTY BACK. HE IS TRYING TO SELL THE PROPERTY AND DISCOVERED OUR LIEN/CLOUD ON THE TITLE. HE WANTED ME TO TELL HIM HOW TO REMOVE THE LIEN AND I ADVISED THAT ONCE A LIEN IS RECORDED IT STANDS AND THE ONLY WAY FOR IT TO BE REMOVED IT TO PAY THE AMOUNT OF THE LIEN. HE DID NOT WAY TO PAY THE LIEN AMOUNT AND HE ASKED AGAIN HOW TO REMOVE THE LIEN AND I SUGGESTED HE CONTACT A LAND USE ATTORNEY FOR ADVICE
PHONE CALL	MATT FUCHS	11/1/2018	11/1/2018	Call from Sharon Francis not all marijuana has been cut as instructed. Weber will do inspection on Friday 11/2/2018.
RECEIVED COMPLAINT	DEBBIE LAUGENOUR	9/6/2018	9/6/2018	REC COMPLAINT OF A LARGE MARIJUANA GROW
SCANNING	DEBBIE LAUGENOUR	9/6/2018	9/6/2018	SCANNED AND ATTACHED COMPLAINT
SCANNING	DEBBIE LAUGENOUR	12/10/2018	12/10/2018	SCANNED AND ATTACHED HEARING OFFICER INVOICE
SCANNING	DEBBIE LAUGENOUR	12/10/2018	12/10/2018	SCANNED AND ATTACHED COST FOR DEMAND



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SCANNING	DEBBIE LAUGENOUR	12/10/2018	12/10/2018	SCANNED AND ATTACHED DEMAND LETTER.
SCANNING	DEBBIE LAUGENOUR	3/7/2019	3/7/2019	SCANNED AND ATTACHED TRUSTEE'S DEED WHICH CHANGED TITLE ON 12.28.18
SCANNING	KIM MCMILLAN	2/4/2019	2/4/2019	SCANNED AND ATTACHED CLERKS-RECORDERS RECEIPT AND DOCUMENTED.
SCANNING	WILLOW EMBERLAND	11/28/2018	11/28/2018	SCANNED RETURNED MAIL 34(A) AND 34(C) ORDINANCE
SCANNING	WILLOW EMBERLAND	12/18/2018	12/18/2018	SCANNED AND ATTACHED COST FOR DEMAND
SCANNING	WILLOW EMBERLAND	4/2/2019	4/2/2019	SCANNED AND ATTACHED PROPOSED LIEN AND SPECIAL ASSESSMENT
SCANNING	WILLOW EMBERLAND	4/16/2019	4/16/2019	SCANNED AND ATTACHED NOTICE OF LIEN
TRAVEL	BRAD LAWTON	9/27/2018	9/27/2018	Travel to airfield
TRAVEL	BRAD LAWTON	12/11/2018	12/11/2018	Travel for posting. 2
TRAVEL	MATT FUCHS	9/12/2018	9/12/2018	Travel time for attempted initial site inspection.
TRAVEL	MATT FUCHS	10/3/2018	10/3/2018	Travel time to post 72 hour notice.
TRAVEL	MATT FUCHS	10/12/2018	10/12/2018	Travel time to conduct 72 hour inspection.
TRAVEL	PHIL PREADER	3/18/2019	3/18/2019	to and from office
TRAVEL	SHAWN WILLIAMS	11/2/2018	11/2/2018	0.25 HOUR TRAVEL TIME - OROVILLE AIRPORT - 11/02/2018
TRAVEL	TIM TORRES	10/15/2018	10/15/2018	
TRAVEL	TED WEBER	11/2/2018	11/2/2018	4 hours travel represents 2 staff round trip travel to site.
TRAVEL	TED WEBER	11/6/2018	11/6/2018	3 hrs travel = 2 staff rt to site from office

## INSPECTIONS

INSPECTION TYPE	INSPECTOR	SCHEDULED DATE	COMPLETED DATE	RESULT	REMARKS	NOTES
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72 HOUR INSPECTION	MWF	10/12/2018	10/12/2018	CONFIRMED	Marijuana observed	<p>At 9:20 conducted a 72 hour inspection with Ted Weber for officer safety. Contacted Lawyer Rob Mackenzie along with Mr Francis (George). Conducted inspection of property and the marijuana was not abated. Photos taken. Told Lawyer and George Francis would come back at 14:00 hours to conduct inspection. They said the marijuana would be harvested and a Hearing Notice would not have to be posted.</p> <p>At 11:30 hours Ted Weber received a call from Sharon Francis that they will not be abating today. She did not want a re-inspection today. I called the Lawyer at 12:03 and 13:35 hours to try and confirm an inspection would not be conducted. I left him two messages on his phone. Mackenzie call me at 15:15 hours and did not know that Francis changed there mind. He said he will call them and call me back about what is going on. Will post hearing notice next week.</p>
72 HOUR INSPECTION	TRW	10/12/2018	10/12/2018		2nd Officer	<p>At 9:20 hours conducted 72 hour inspection with Matthew Fuchs for officer safety.</p>
72 HOUR NOTICE POSTED	MWF	10/3/2018	10/3/2018	COMPLETED	Notice posted	<p>Posting of 72 hour notice at 11:40 hours with Phil Preader for officer safety. Arrived at the residence and was able to post the 72 hour notice. I photographed the notice from the front gate area. The property owner was issued/posted a 72 hour notice with corrections. The 72 hour notice had the case number and APN number to contact me with correction. Photos taken.</p>
72 HOUR NOTICE POSTED	PRP	10/3/2018	10/3/2018		2nd Officer	<p>Posting of 72 hour notice with Matthew Fuchs for officer safety.</p>
COMPLIANCE INSPECTION	BTL	11/2/2018	11/2/2018			<p>2nd officer for safety</p>



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COMPLIANCE INSPECTION	TRW	11/2/2018	11/2/2018	COMPLETED		At the request of Sharon Francis, BCCCO Lawton and I conducted an inspection of this parcel. Ifa was present. There were still approximately 80 plants in the ground. The big buds were cut off of most of the plants but there were still active buds growing on others. The plants appear not be getting water.
COMPLIANCE INSPECTION	TRW	11/6/2018	11/6/2018	COMPLETED		At the request of the owner, BCCCO Williams and I conducted an inspection of this parcel. The marijuana had been abated. Photo uploaded into Laserfiche.
COMPLIANCE INSPECTION	SDW	11/6/2018	11/6/2018	COMPLETED		2nd officer for safety
HELICOPTER INSPECTION	BTL	9/27/2018	9/27/2018		Photographer	
HELICOPTER INSPECTION	SDW	9/27/2018	9/27/2018		Navigator	
HELICOPTER INSPECTION	SDW	11/2/2018	11/2/2018	CONFIRMED	NAVIGATOR	NAVIGATOR - MMJ OBSERVED
HELICOPTER INSPECTION	TAT	11/2/2018	11/2/2018	CONFIRMED	PHOTOGRAPHER	PHOTOGRAPHER
INITIAL SITE INSPECTION	MMWF	9/12/2018	9/12/2018		Attempted	Attempted initial site inspection with Ted Weber for officer safety. Arrived at the residence and contacted Antinio Ramez the caretaker. He would not provide a phone number. He said he did not speak english and would not come away from the residence. He would not allow an inspection. Place of fly list.
INITIAL SITE INSPECTION	TRW	9/12/2018	9/12/2018		2nd Officer	Attempted initial site inspection with Matthew Fuchs for officer safety.

## ATTACHMENTS



Butte County Department of Development Services  
TIM SNEELINGS, DIRECTOR | PETE CALARCO, ASSISTANT DIRECTOR  
7 County Center Drive Oroville, CA 95965 530.538.7601 Telephone 530.538.7785  
Facsimile [www.buttecounty.net/dds](http://www.buttecounty.net/dds)

CASE# 18-1248

# RESTRICTIONS ON CANNABIS CULTIVATION COMPLAINT FORM

Date: 9-6-18

Property Owner: Raymond  
Parcel: 071-290-078

Alleged Violation Address: 49 Gundersen  
City: Feather Falls

Complaint Types: Check violation(s) that apply AND include written remarks below.

- ☒ Cultivation Area Violation (over max sq. ft/ratio) (Medical Cannabis Cultivation)
- ☒ Cultivation of more than six plants per parcel (Non-Medical Cannabis Cultivation)

- ☐ Parcel does not have a legal residence
- ☐ Outdoor grow on a parcel 0.5 acre or less (Medical Cannabis)
- ☐ Outdoor grow on parcel 5.0 acres or less (Non-Medical Cannabis Cultivation)
- ☐ Setback violation (please specify below in detail)
- ☐ Cannabis plants are in public view
- ☐ Fencing (no fence on parcel less than 5 acres, unapproved materials, plants are taller than fence, unsecure access, etc.)
- ☐ Building violations (no permit, unpermitted electrical, no ventilation, etc.)
- ☐ Does not meet Recommendation Requirements (Medical Cannabis)
- ☐ Grower residency requirements
- ☐ No permitted permanent water supply or no municipal sewer system/permited sewage disposal system
- ☐ Illegal use, disposal and/or storage of chemicals
- ☐ Other:

\* For environmental complaints contact Environmental Health at 530.538.7281 or 202 Mira Loma Dr, Oroville, CA 95965

Please describe the violation(s) in the space provided below:

large grow  
green comp

FORM NO.  
DCE-04

# RESTRICTIONS ON CANNABIS CULTIVATION 72-HOUR NOTICE TO ABATE ORDINANCE VIOLATION



Date Issued & Posted: 10/3/18

Violation Address: Stephens Ridge Rd

City: Berry Creek

Owner: Darryl Daniel

Parcel #: 061-450-003

Tenant:

You are hereby on notice, pursuant to Butte County Code Chapter 34A and/or Chapter 34C, you are maintaining a public nuisance on the above-referenced property by:

- ☒ Cultivation area is greater than authorized size - BCC 34A-4
- ☒ Number of plants being cultivated is greater than authorized - BCC 34C-4
- ☐ Indoor grow required for parcel size - BCC 34A-4(b)(1);
- ☒ Parcel does not have a legal residence - BCC 34A-3(n).
- ☒ BCC 34A-4(a); BCC 34C-3(m)
- ☐ Setback violation from parcel line and/or residence - BCC 34A-8;
- ☐ BCC 34C-8
- ☐ Setback violation from a youth-oriented facility, school, park, church, residential treatment facility, school bus stop, or an occupied residential structure. BCC 34A-8(b)(1)(2)(3); BCC 34C-8(b) (1)(2)(3)
- ☐ Marijuana plants in public view - BCC 34A-8(b)(4);
- ☐ BCC 34C-8(b)(3)
- ☐ Fencing (no fencing, unapproved materials, plants taller than fence, unsecure access, etc.) BCC 34A-10; BCC 34C-10
- ☐ Indoor grow building violations (no permit, residential grow, no ventilation, etc.) - BCC 34A-3(h)

You are also on notice that an Administrative Penalty of \$500 per day will accrue each day that the nuisance exists for the first 72 hours that you are in violation. If the violation is not corrected within 72 hours, the Penalty will increase to \$1000 per day for each day you are in violation and the matter will be set for a Nuisance Abatement Hearing. In order to prevent the accrual of ongoing penalties and costs, it is your obligation to contact the Code Enforcement Officer, arrange a time for a Code Enforcement Officer to re-inspect your property, and demonstrate that all violations have been corrected. If you fail to do so and a Nuisance Abatement Hearing is scheduled, you will be required to pay all costs and penalties, which, if not paid, will become a lien on your property.

Owner/Tenant/Cultivator: Stephens Ridge Rd  
My signature above acknowledges receipt of this 72-Hour Notice to Abate

Butte County Code Enforcement Officer: Matthew Kelly  
My signature above acknowledges delivery of this 72-Hour Notice to Abate

#693 - 7631

*[Signature]*

Butte County Department of Development Services  
BUILDING \* PLANNING \* CODE ENFORCEMENT  
7 County Center Drive  
Oroville, CA 95965

RETURN SERVICE REQUESTED



CODY MERDERS  
0 STEPHENS RIDGE RD  
BERRY CREEK, CA 95916

CE18-1268 m





Department of Development Services

Tim Snellings, Director  
Pete Calarco, Assistant Director

7 County Center Drive  
Oroville, California 95965  
T: 530.552.3702  
F: 530.538.7785  
buttecounty.net/ddss

FORM NO.  
DCE-04

# RESTRICTIONS ON CANNABIS CULTIVATION 72-HOUR NOTICE TO ABATE ORDINANCE VIOLATION

Date Issued & Posted: 10/3/18  
Violation Address: 107 Gundersen Rd  
Parcel #: 071-290-078  
Owner: Raymond Berry  
City: Feather Falls  
Case #: CE18-1248  
Tenant:

You are hereby on notice, pursuant to Butte County Code Chapter 34A and/or Chapter 34C, you are maintaining a public nuisance on the above-referenced property by:

- ☒ Cultivation area is greater than authorized size - BCC 34A-4
- ☒ Number of plants being cultivated is greater than authorized - BCC 34C-4
- ☐ Indoor grow required for parcel size - BCC 34A-4(b)(1); BCC 34C-4(a)(2)
- ☐ Parcel does not have a legal residence - BCC 34A-3(n), BCC 34A-4(a); BCC 34C-3(m)
- ☐ Setback violation from parcel line and/or residence - BCC 34A-8; BCC 34C-8
- ☐ Setback violation from a youth-oriented facility, school, park, church, residential treatment facility, school bus stop, or an occupied residential structure. BCC 34A-8(b)(1)(2)(3); BCC 34C-8(b)(1)(2)(3)
- ☐ Marijuana plants in public view - BCC 34A-8(b)(4); BCC 34C-8(b)(3)
- ☐ Fencing (no fencing, unapproved materials, plants taller than fence, unsecure access, etc.) BCC 34A-10; BCC 34C-10
- ☐ Indoor grow building violations (no permit, residential grow, no ventilation, etc.) - BCC 34A-3(h)

You are also on notice that an Administrative Penalty of \$500 per day will accrue each day that the nuisance exists for the first 72 hours that you are in violation. If the violation is not corrected within 72 hours, the Penalty will increase to \$1000 per day for each day you are in violation and the matter will be set for a Nuisance Abatement Hearing. In order to prevent the accrual of ongoing penalties and costs, it is your obligation to contact the Code Enforcement Officer, arrange a time for a Code Enforcement Officer to re-inspect your property, and demonstrate that all violations have been corrected. If you fail to do so and a Nuisance Abatement Hearing is scheduled, you will be required to pay all costs and penalties, which, if not paid, will become a lien on your property.

☒ Butte County Code Enforcement Officer  
530.538.6000 Main Office  
My signature above acknowledges delivery of this 72-Hour Notice to Abate  
☒ Owner/Tenant/Cultivator  
My signature above acknowledges receipt of this 72-Hour Notice to Abate

#693-7631

CE8-1248 m

LARMOND BERYL  
69 GUNDERSON RD  
FEATHER FALLS, CA 95966

RETURN SERVICE REQUESTED



Butte County Department of Development Services  
BUILDING \* PLANNING \* CODE ENFORCEMENT  
7 County Center Drive  
Oroville, CA 95965

CE8-1248 m

LARMOND BERYL  
1900 ORO DAM BLVD E SUITE 203  
OROVILLE, CA 95965

RETURN SERVICE REQUESTED



Butte County Department of Development Services  
BUILDING \* PLANNING \* CODE ENFORCEMENT  
7 County Center Drive  
Oroville, CA 95965

Department of Development Services Tim Snellings, Director  
Pete Calarco, Assistant Director



7 County Center Drive Oroville, California 95965  
T: 530.552.3702 F: 530.538.7785  
[buttecounty.net/ddss](http://buttecounty.net/ddss)

December 10, 2018

BERYL LARMOND 69 GUNDERSON RD  
FEATHER FALLS, CA 95966  
BERYL LARMOND  
1900 ORO DAM BLVD E  
SUITE 203  
OROVILLE, CA 95965

### AMENDED DEMAND FOR PAYMENT OF NUISANCE ABATEMENT COST AND PENALTIES

To the Property Owners of 69 GUNDERSON RD, FEATHER FALLS, CA, APN 071-290-078:

You are hereby notified that the County of Butte, pursuant to Butte County Code Chapters 34A and 34C, has incurred costs associated with a public nuisance on property located at 69 GUNDERSON RD, CA, APN 071-290-078, CE18-1248, and hereby demands payment of its Abatement costs, Administrative costs and Administrative Penalties.

The public nuisance on the above property consisted of violations within Butte County Code Chapters 34A Restriction of Cultivation of Medical Marijuana & 34C Restriction of Cultivation of Non-Medical Marijuana specifically: 34A-4(b)(2) Cultivation area is greater than allowed, 34A-9 No written, notarized permission to grow from property owner, 34C-4(a)(3) Number of plants being cultivated is greater than authorized and 34C-9 No written, notarized permission to grow from property owner. As a result, and pursuant to Butte County Code Chapter 34A & 34C, you are responsible for paying the sum of \$34,032.61 to the County of Butte pursuant to the Hearing Officer's decision dated November 23, 2018.

A breakdown of the costs incurred are as follows:

Administrative Penalties	\$	28,500.00
Staff Costs	\$	4,251.00
Hearing Officer Charges	\$	1,003.76
Aerial Inspections	\$	180.77
Title & Recording Fees	\$	89.00
Postage	\$	8.08
TOTAL DUE:	\$	34,032.61

You are also hereby notified that you have 15 days from receipt of this letter to pay the above amounts to the Department of Development Services and that failure to pay above amounts within 15 days from service of this bill will result in the recording of a lien and the imposition of a special assessment against

the property.

This year the Department of Development Services may consider a Marijuana Hearing Settlement Agreement offer of 40% of the penalties plus administrative costs. If you are interested in agreeing to a settlement with Butte County, prior to a lien being scheduled for the Board of Supervisors, please call our office to schedule an appointment immediately. If a lien is placed on your parcel, it will be for the full amount of penalties and administration costs. Once a lien has been placed on your property a settlement offer will not be an option.

Tim Snellings, Director



Butte County Department of Development Services

Department of Development Services Tim Snellings, Director  
Pete Calarco, Assistant Director



7 County Center Drive Oroville, California 95965  
T: 530.552.3702 F: 530.538.7785  
[buttecounty.net/ddss](http://buttecounty.net/ddss)

December 10, 2018

BERYL LARMOND 69 GUNDERSON RD FEATHER FALLS, CA 95966  
BERYL LARMOND 1900 ORO DAM BLVD E SUITE 203 OROVILLE, CA 95965

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PENALTIES

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Tim Snellings, Director



Butte County Department of Development Services

Beryl Larmond - COSTS FOR DEMAND LETTER

Addresses:

Beryl Larmond  
69 Gunderson Road  
Feather Falls, CA 95966

Beryl Larmond  
1900 Oro Dam Blvd E, Suite 203  
Oroville, CA 95965

APN: 071-290-078

CE 18-1248

Costs to date:

Title Report	\$50.00
Recording-Decision	39.00
Attorney Time	<u>500.00</u>
Total	\$589.00

APN: 071-290-078

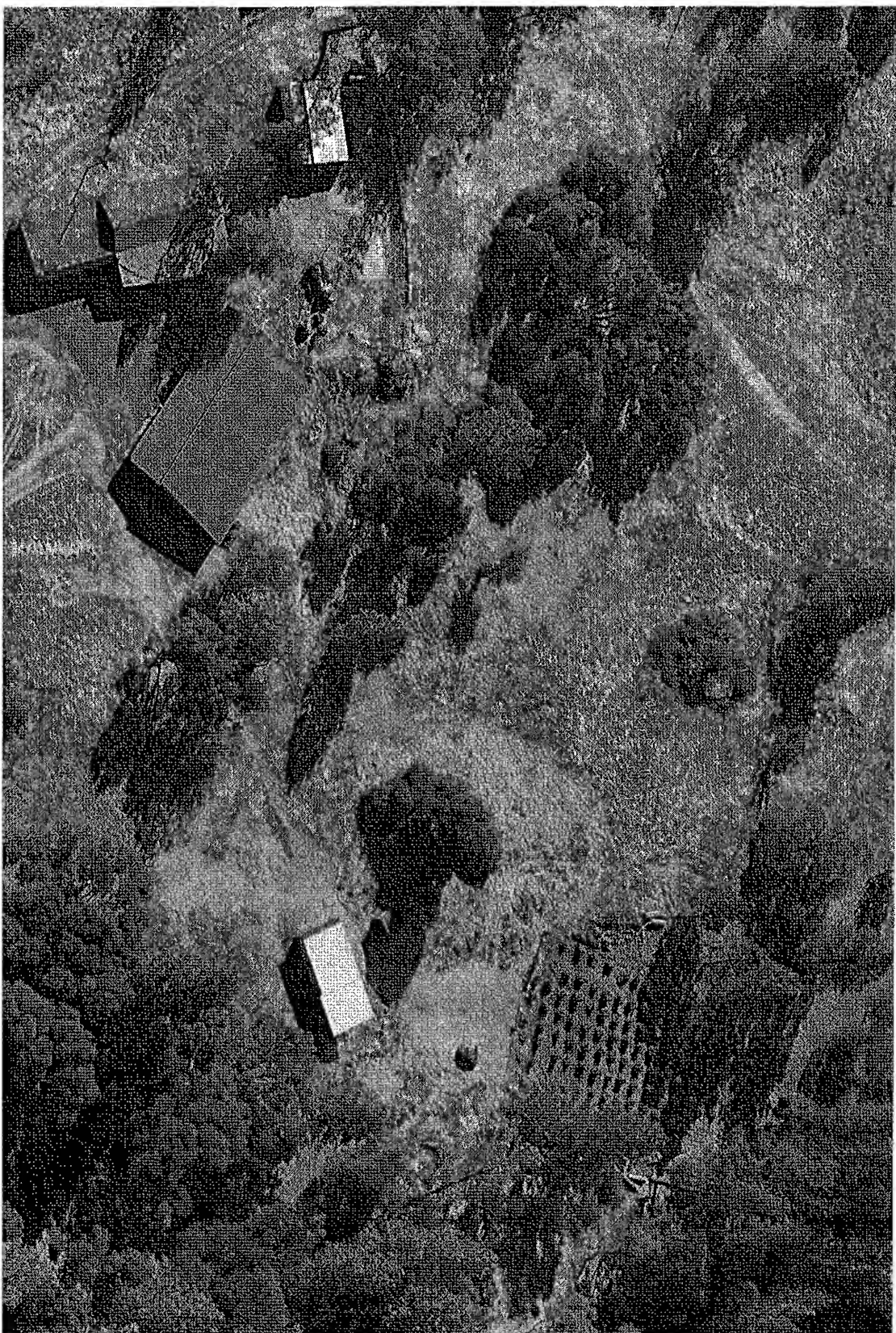
CASE #: CE18-1248

ADDRESS: 69 GUNDERSON RD

FLY OVER PHOTOS TAKEN BY WILLIAMS AND TORRES

DATE: 11/2/18

CEO: MF



APN: 071-290-078

CASE #: CE18-1248 ADDRESS: 69 GUNDERSON RD  
FLY OVER PHOTOS TAKEN BY SHAWN WILLIAMS AND BRAD LAWTON

DATE: 9/27/18

CEO: MF





APN: 071-290-078

CASE #: CE18-1248 ADDRESS: 69 GUNDERSON RD  
FLY OVER PHOTOS TAKEN BY SHAWN WILLIAMS AND BRAD LAWTON

DATE: 9/27/18

CEO: MF





APN: 071-290-078

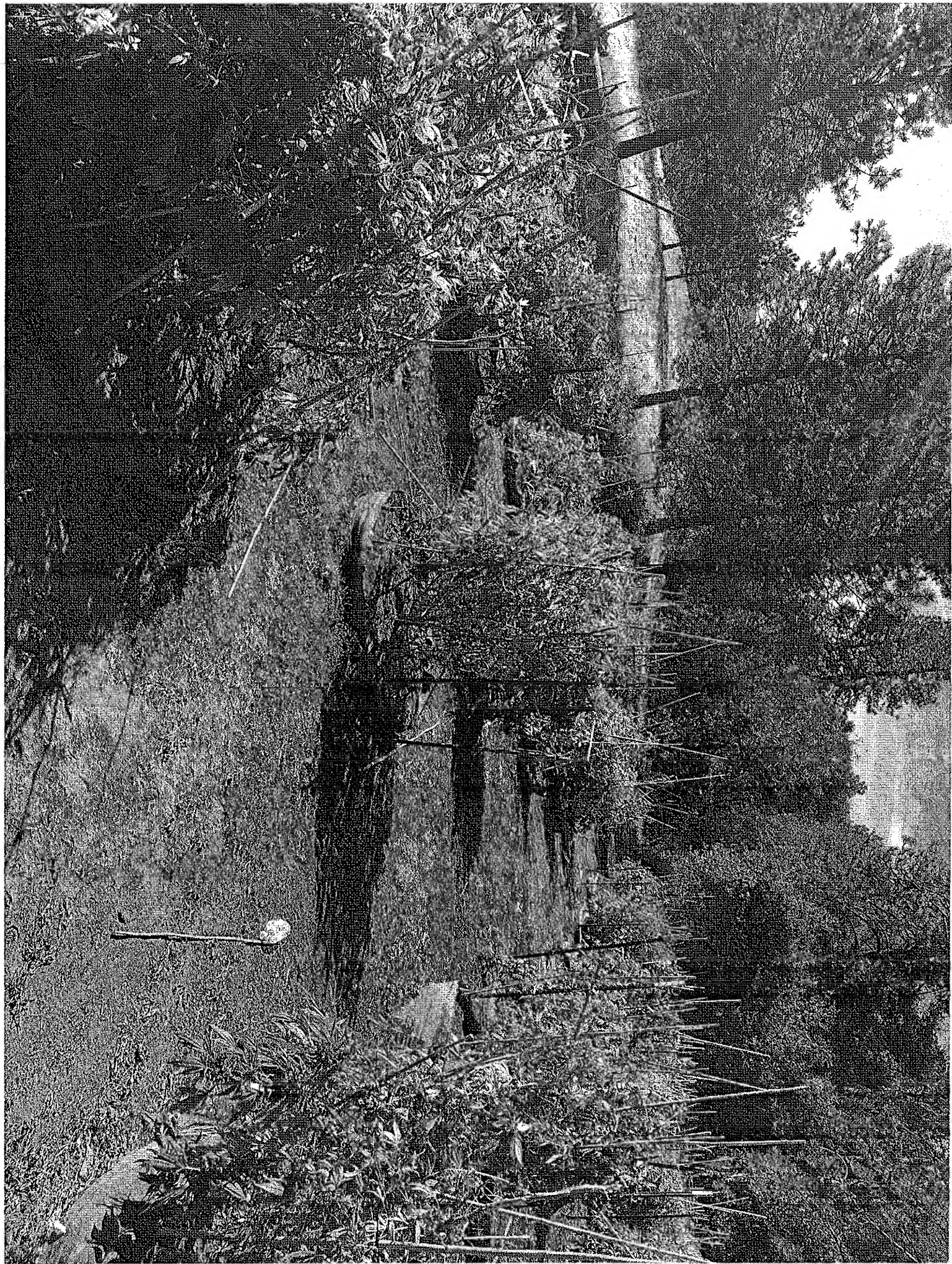
CASE #: CE18-1248 ADDRESS: 69 GUNDERSON RD  
FLY OVER PHOTOS TAKEN BY SHAWN WILLIAMS AND BRAD LAWTON

DATE: 9/27/18

CEO: MF

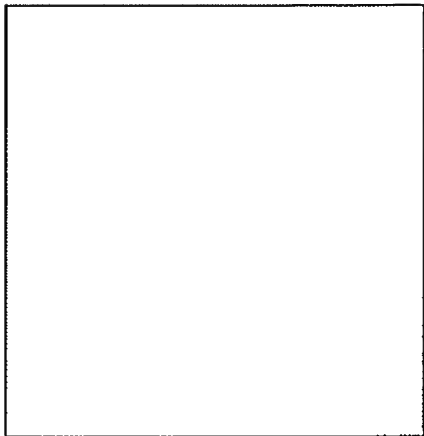
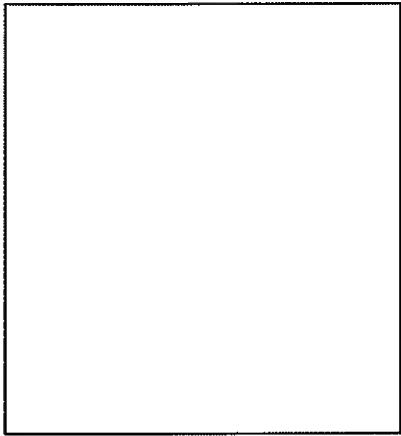
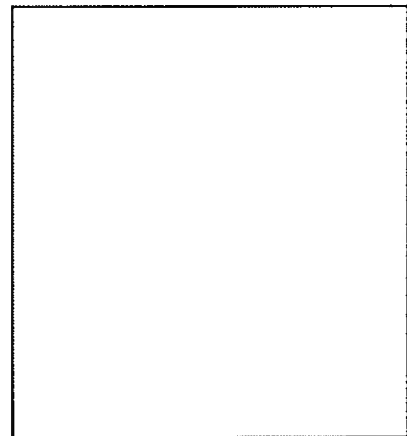
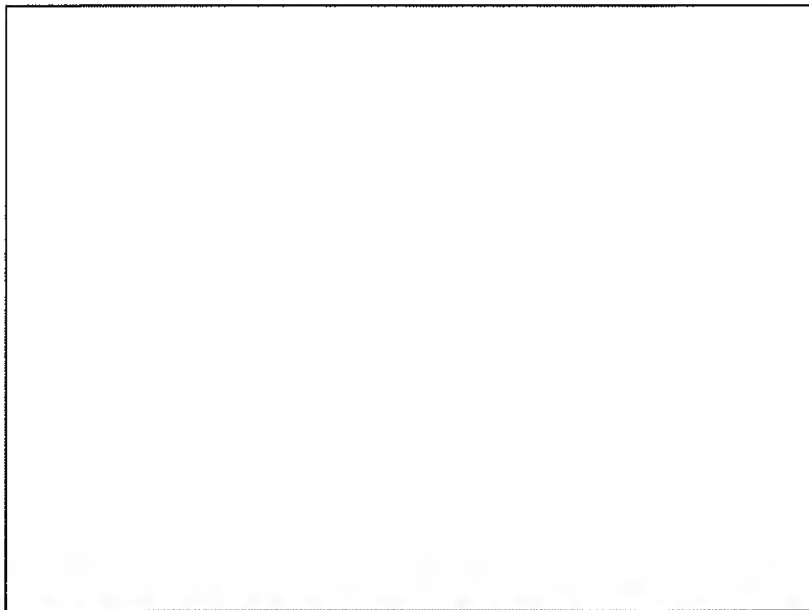
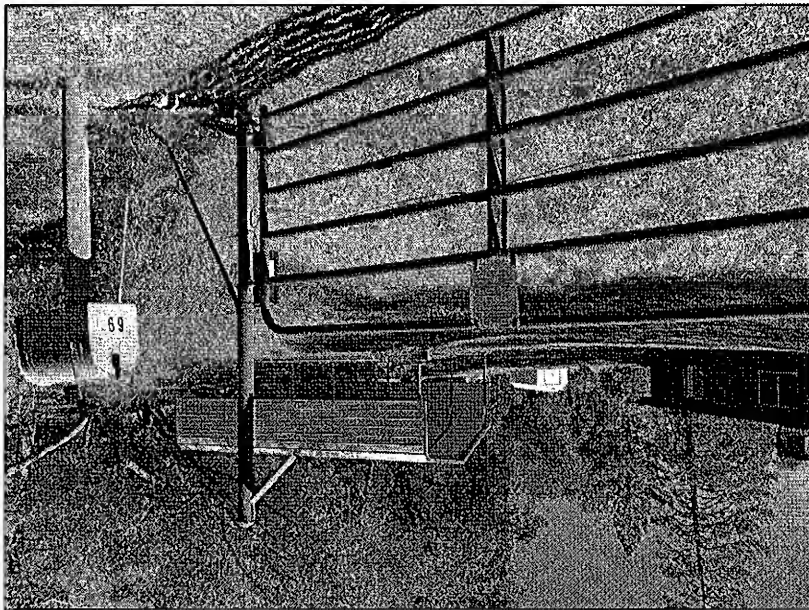
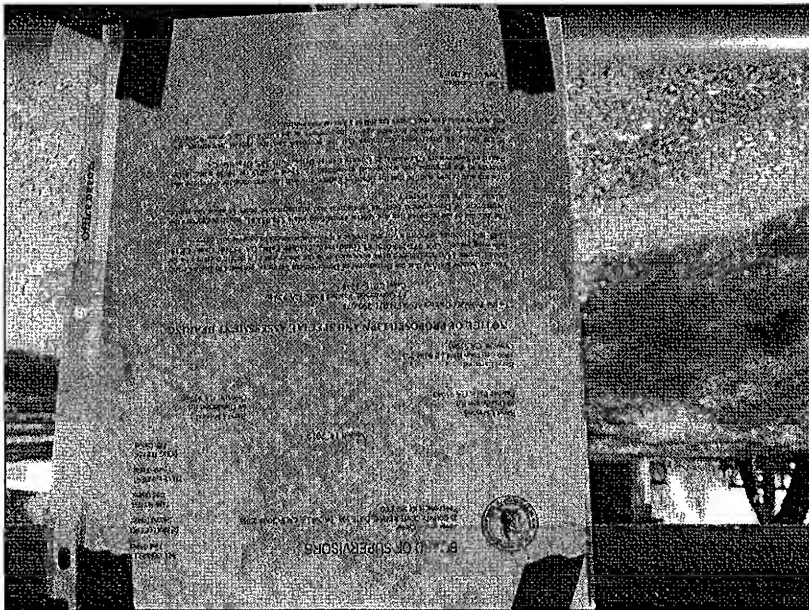












BILL CONNELLY  
First District  
DEBRA LUCERO  
Second District  
TAMI RITTER  
Third District  
STEVE LAMBERT  
Fourth District  
DOUG TEETER  
Fifth District

Minute Order No.: 040919 – 5.03.g.

# Board of Supervisors



Meeting Date:

April 9, 2019

Item Subject:

Code Enforcement Case No. CE18-1248; 69 Gunderson Road, Feather Falls; APN 071-290-078 - On November 21, 2018, a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the Board of Supervisors to record a special assessment and lien to recover the County's costs and penalties for Code Enforcement Case No. CE18-1248 for the property located at 69 Gunderson Road in Feather Falls (Assessor's Parcel Number 071-290-078) as a special assessment of \$5,532.61 (costs) and proposed lien of \$28,500 (penalties).

Board Action:

Approved the proposed lien of \$28,500 and a special assessment of \$5,532.61.

Vote:

Ayes: Supervisors Connolly, Teeter, and Chair Lambert  
Noes: Supervisors Lucero and Ritter  
Absent: None  
Not Voting: None

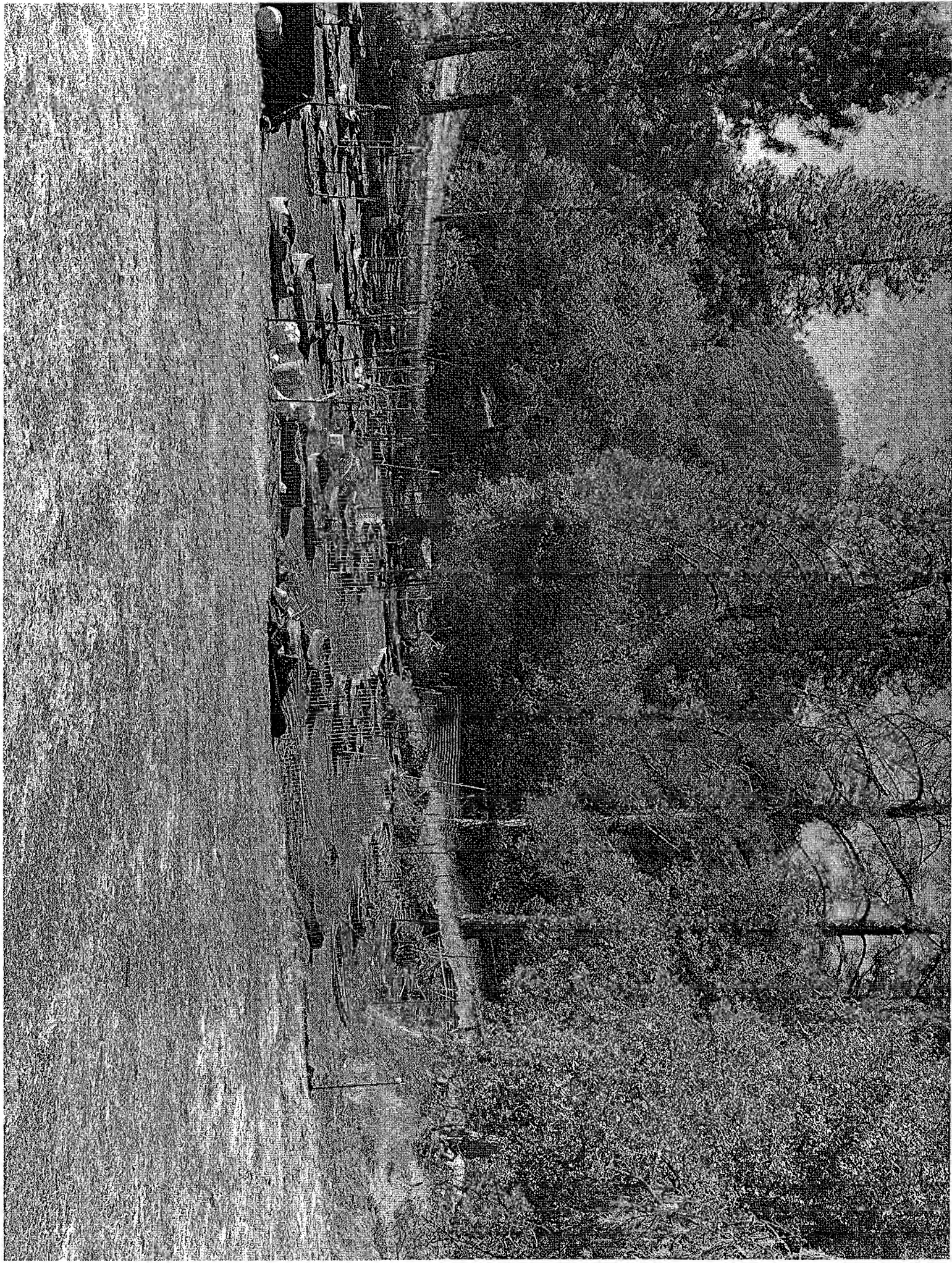
Certification:

I hereby certify that the above action was taken by the Butte County Board of Supervisors on the date listed above

Ashley Snyder Assistant Clerk of the Board  
April 9, 2019







Recording Requested By  
When recorded, return to:

Butte County Counsel  
25 County Center Drive  
Suite 210  
Oroville, CA 95965  
(530) 552-4070

BUTTE  
COUNTY  
APR 16 2019  
DEVELOPMENT  
SERVICES

Department of Development Services  
7 County Center Drive  
Oroville, CA 95965

NOTICE OF LIEN FOR  
ABATEMENT OF PUBLIC NUISANCE

LIEN NO:

TO: Beryl Larmond  
69 Gunderson Road  
Feather Falls, CA 95966  
Beryl Larmond  
1900 Oro Dam Blvd, E, Suite 203  
Oroville, CA 95965

NOTICE IS HEREBY GIVEN that the County of Butte, pursuant to Butte County Code Chapters 34A and/or 34C, has incurred costs associated with the abatement of a public nuisance on the following property and hereby claims a lien for the abatement and administrative costs incurred from the abatement of the public nuisance on said property located at 69 Gunderson Road, Feather Falls, CA 95966, APN 071-290-078.

The following information is provided in accordance with Butte County Code Section 34A-13(i) and/or 34C-13(i):

1. Record owner or possessor: Beryl Larmond.
2. Last known address of record owner or possessor: 1900 Oro Dam Blvd, E, Suite 203, Oroville, CA 95965.
3. Description of real property subject to lien: Assessor Parcel Number: 071-290-078 located at 69 Gunderson Road, Feather Falls, CA 95966.
4. Date upon which the decision of the Hearing Officer was issued: 11/23/18.
5. Date lien approved by the Board of Supervisors: 4/9/19.



APN: 071-290-078

CASE #: CE18-1248

ADDRESS: 69 GUNDERSON RD  
PHOTOS OF MARIJUANA

DATE: 10/12/18

CEO: MF







APN: 071-290-078

CASE #: CE18-1248

ADDRESS: 69 GUNDERSON RD

DATE: 10/3/18

CEO: MF





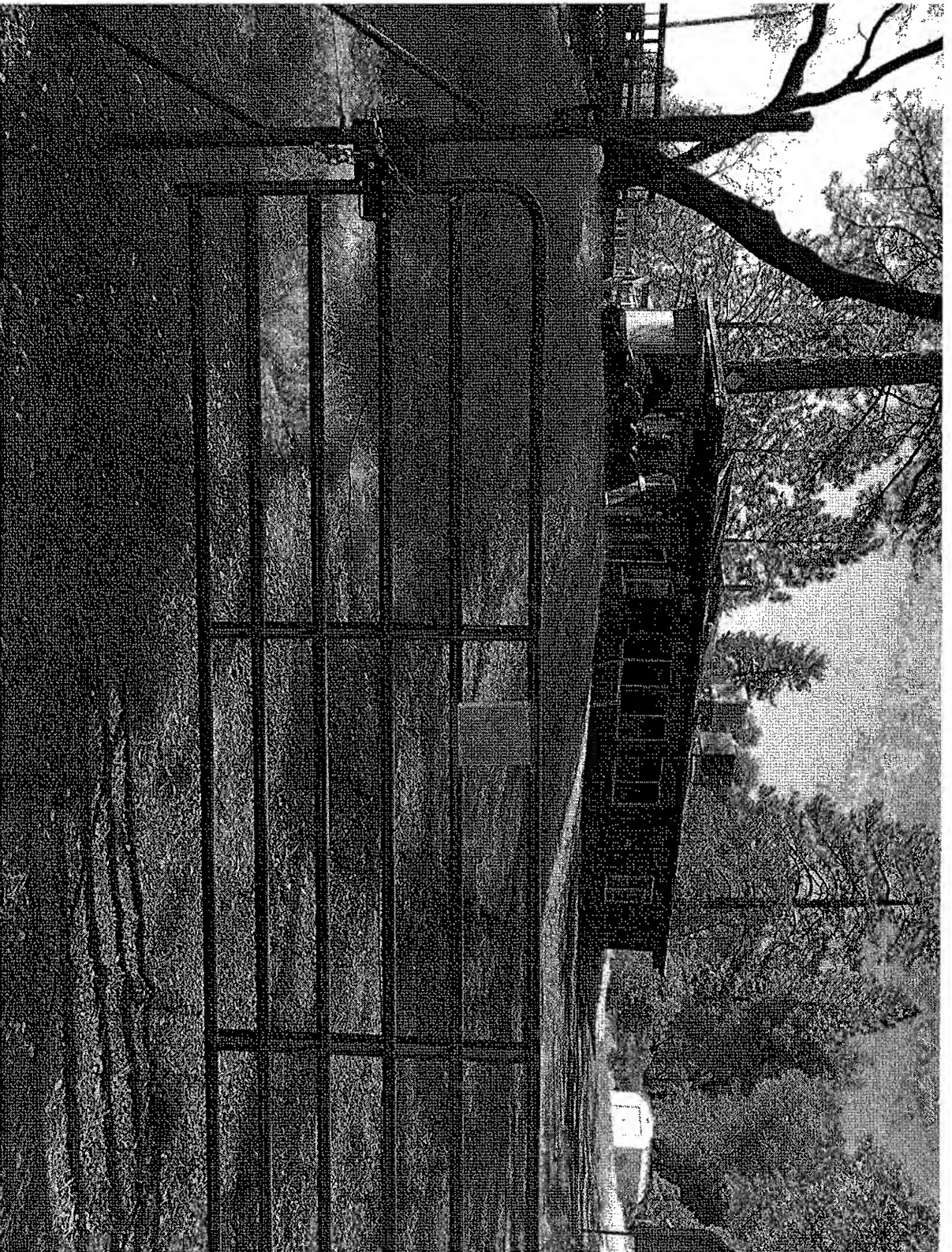
APN: 071-290-078

CASE #: CE18-1248

ADDRESS: 69 GUNDERSON RD

DATE: 10/15/18

CEO: MF





## BOARD OF SUPERVISORS

Administration Center  
25 COUNTY CENTER DRIVE, SUITE 200 - OROVILLE, CALIFORNIA 95965  
Telephone: (530) 552-3300

BILL CONNELLY  
First District  
DEBRA LUCERO  
Second District  
TAMI RITTER  
Third District  
STEVE LAMBERT  
Fourth District  
DOUG TEETER  
Fifth District

March 18, 2019

Beryl Larmond  
69 Gunderson Rd.  
Feather Falls, CA 95940

Beryl Larmond  
69 Gunderson Rd.  
Orville, CA 95966

Beryl Larmond  
1900 Oro Dam Blvd., E Suite 203  
Orville, CA 95965

## NOTICE OF PROPOSED LIEN AND SPECIAL ASSESSMENT HEARING

To the Property Owners of: APN 071-290-078  
69 Gunderson, Feather Falls, CA 95940  
Case: CE18-1248

You are hereby notified that the Department of Development Services, pursuant to Butte County Code Chapter 34A, has incurred costs associated with the abatement of a public nuisance on the following parcel: APN 071-290-078; 69 Gunderson, Feather Falls, CA 95940; Case: CE18-1248, and proposes to record a lien and impose a special assessment to recover said costs.

The amount of the proposed lien and special assessment totals \$34,032.61, which constitutes the Department of Development Services' abatement and administrative costs to abate the public nuisance on the above property.

You are also hereby notified that the Board of Supervisors will hear and consider objections and protests to the proposed lien and special assessment on April 9, 2019, at 10:30 a.m., in the Board of Supervisors Chambers, 25 County Center Drive, Suite 205, Oroville, CA.

If the Board of Supervisors determines that the proposed lien and special assessment are authorized, the lien will be recorded against the property in the Office of the County Recorder and will be placed on the County tax roll as a special assessment.

Shari McCracken  
Clerk of the Board



2018-0043554

REC FEE

27.00

Recorded

Official Records

County of

Butte

CANDACE J. GRUBBS

County Clerk-Recorder

KL

08:00AM 28-Dec-2018 | Page 1 of 5

SPACE ABOVE THIS LINE FOR RECORDER'S USE

RECORDING REQUESTED BY  
Mid Valley Title and Escrow Company  
Foreclosure No. 5770807  
Order No.  
Loan No.

WHEN RECORDED MAIL TO:

Bryant Ewing, trustee  
4797 Pine Avenue  
Fleming Island, FL 32003

APN#071-290-078

MAIL TAX STATEMENTS TO:  
SAME AS ABOVE

DOCUMENTARY TRANSFER TAX \$00.00  
Grantee was the foreclosing beneficiary.  
Consideration paid at the sale was: \$269,000.00;  
The unpaid debt was: \$442,175.60;  
Computed on the consideration or value of property conveyed.  
OR  
Computed on the consideration or value less liens or  
encumbrances remaining at time of sale.

The undersigned declares under penalty of perjury  
Signature of Declarant or Agent

### TRUSTEES DEED UPON SALE

MID VALLEY TITLE AND ESCROW COMPANY, a Corporation, (herein called "Trustee") does hereby grant and convey, but without covenant or warranty, express or implied, to:  
Bryant Jones Ewing III as sole trustee, The Trust A, a sub-trust of the Robert B. Gunderson and Loretta A. Gunderson Family Trust dated October 29, 2002 (herein called "Grantee") the real property in the County of Butte, State of California, described as follows:  
THE REAL PROPERTY AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO  
AND MADE A PART HEREOF

This conveyance is made pursuant to the authority and powers vested in said Trustee, as Trustee, or Successor Trustee, or Substituted Trustee, under that certain Deed of Trust executed Beryl Larmond, a single woman, as Trustor, recorded April 20, 2018, as Instrument No. 2018-0013320, of Official Records in the Office of the Recorder of Butte County, California; and pursuant to the Notice of Default recorded August 21, 2018, as Instrument No. 2018-0028140, of Official Records of said County, Trustee having complied with all applicable statutory requirements of the State of California and performed all duties required by said Deed of Trust, including, among other things, as applicable, the mailing of copies of notices or the publication of a copy of the notice of sale or the publication of a copy thereof.  
At the time and place fixed in the Notice of Trustee's Sale, said Trustee did sell said property above described at public auction on December 27, 2018 to said Grantee, being the highest bidder therefor, for \$269,000.00 cash, lawful money of the United States.

Dated: December 27, 2018

MID VALLEY TITLE AND ESCROW COMPANY, a corporation  
as Trustee

By: Daniel F. Hunt, President

APN: 071-290-078

CASE #: CE18-1248

ADDRESS: 69 Gunderson RD

DATE: 12/11/2018

CEO: BL



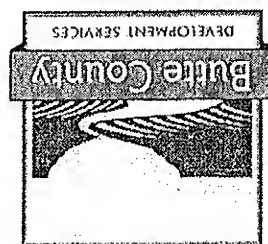


Department of Development Services

TIM SNELLINGS, DIRECTOR  
PETE CALARCO, ASSISTANT DIRECTOR

FORM NO  
DCE-12

7 County Center Drive  
Oroville, California 95965  
T: 530.552.3702  
T: 530.538.7785  
buttecounty.net/dd



CASE #: CE18-1248

Owner Name: LARMOND BERYL

NOTICE OF NUISANCE ABATEMENT HEARING

The owner(s) and occupant(s) of real property described on the latest equalized Butte County tax roll as A.P.N. 071-290-078, and having a street address of 69 GUNDERSON RD, FEATHER FALLS, CA is (are) hereby notified to appear before a Hearing Officer of the County of Butte at One Court Street Oroville, CA 95965 on Wednesday November 21, 2018, at the hour of 11 o'clock a.m., to show cause, if any there be, why the use of said real property should not be found to be a public nuisance and abated pursuant to the Butte County Code Chapter 34A and/or Butte County Code Chapter 34C. The Department of Development Services has determined that conditions exist on the above property which constitute a public nuisance and violate Butte County Code section(s) BCC 34A-4 Cultivation Area is greater than authorized, BCC 34C-4 Number of plants being cultivated is greater than authorized, BCC 34A-9; BCC 34C-9 No written, notarized permission from property owner. After hearing, if a violation is found to have existed at the time the Notice of Nuisance Abatement Hearing was posted on the property, the Administrative Costs incurred in prosecuting the violation, including, but not limited to, the cost of the Hearing Officer, the cost of prior time and expenses associated with bringing the matter to hearing, attorneys' fees, the cost associated with any appeals from the decision of the Hearing Officer, the cost of judicially abating the violation, the cost of labor and material necessary to physically abate the violation, the cost of securing expert and other witnesses, and the accrual of any Administrative Penalties, may become a lien against the subject property and may also be assessed against the property in the same manner as taxes. If a lien is recorded, it will have the same force and effect as an abstract of judgment which is recorded as a money judgment obtained in a court of law. If you fail to appear at the hearing or if you fail to raise any defense or assert any relevant point at the time of hearing, the County will assert, in later judicial proceedings to enforce an order of abatement, that you have waived all rights to assert such defenses or such points.

In preparing for such hearing, you should be aware that if an initial showing is made by the County, sufficient to persuade the Hearing Officer that a public nuisance existed on your property at the time the Notice of Nuisance Abatement Hearing was posted, you will then have the burden of proving that no public nuisance existed on your property. Therefore, you should be prepared to introduce oral and documentary evidence proving why, in your opinion, your use of the property is not a public nuisance as defined in this Chapter. A copy of the Butte County Code Chapter 34A and 34C relating to Medical and Non-Medical Marijuana Cultivation and nuisance abatement hearings is enclosed to assist you in the preparation of your presentation. If an initial showing sufficient to persuade the Hearing Officer that a public nuisance existed on your property is made by the Code Enforcement Officer, your failure to sustain the burden of showing that no public nuisance existed on the property may result in a decision by the Hearing Officer that a public nuisance did exist, and that the County is entitled to recover its Administrative Costs, and all Administrative Penalties that accrued up to the time that the nuisance was abated. Further, if the Hearing Officer finds that a public nuisance continues to exist on your property, and you fail to abate the nuisance promptly, the County may abate the nuisance. If the County abates the nuisance, in addition to being able to recover its Administrative Costs and Penalties, you may be responsible for the actual costs of the abatement. In either circumstance, all Administrative Costs, Abatement Costs, and Administrative Penalties may be specially assessed against your parcel by the Auditor-


PROOF OF SERVICE BY MAIL

I am a citizen of the United States and employed in the County of Butte. I am, and was at the time of the service hereinafter mentioned, over the age of eighteen years and not a party to the within action. My business address is Department of Development Services, Building Division, 7 County Center Drive, Oroville, California 95965. I am readily familiar with the County's practice for collection and processing of correspondence/documents for mailing with the United States Postal Service and that said correspondence/documents are deposited with the United States Postal Service in the ordinary course of business on the same day.

On October 15, 2018 I served the foregoing HEARING NOTICE on the person(s) named below by placing a true copy thereof in a sealed envelope, with first class postage thereon fully paid, addressed as indicated below, and by placing said envelope in the appropriate place within the Department of Development Services where mail is collected for mailing with the United States Postal Services on the same day.

LARMOND BERYL	LARMOND BERYL
69 GUNDELRSON RD	1900 ORO DAM BLVD E
FEATHER FALLS, CA 95966	SUITE 203
	OROVILLE, CA 95965

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on October 15, 2018, Oroville, California.

  
\_\_\_\_\_  
CLB



Clerk-Recorder's Department  
County of Butte  
CANDACE J. GRUBBS  
County Clerk-Recorder



2019-0020170 4/18/2019 12:17:00 PM

REC FEE 18.00

CONFORMED COPY 0.00

LIEN NOTICE 14.00

SB2 TAX EXEMPT 0.00

Total Charges 32.00

JOURNAL 32.00

Total Tendered 32.00

Change .00

4/18/2019 12:18:03 PM 2019041800167

KL ECR-REC-11

Thank You



Requested By B.C. Development Services

Clerk-Recorder's Department  
County of Butte  
CANDACE J. GRUBBS  
County Clerk-Recorder



2018-0041188 12/13/2018 11:49:00 AM  
REC FEE 39.00  
CONFIRMED COPY 0.00

Total Charges 39.00  
JOURNAL 39.00  
Total Tendered 39.00  
Change .00

12/13/2018 11:50:07 AM  
2018121300162  
ECR-REC-11  
KL  
Thank You



Requested By B.C. Development Services